

HOUSE BILL 2116

By McCormick

AN ACT to amend Tennessee Code Annotated, Title 29;
Title 36 and Title 66, relative to domestic violence.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 29-18-102, is amended by adding the following language as a new subsection:

(c)

(1) In any case in which domestic abuse, as defined in § 36-3-601, is the underlying offense for which a tenancy is terminated, only the person who committed the domestic abuse shall be subject to an action for forcible entry and detainer by the landlord. In such cases, victims of the domestic abuse, minor children, and innocent occupants shall not be subject to the action.

(2) If a written lease is in effect, the landlord may remove the person who committed the domestic abuse from the lease agreement and require the remaining occupants to execute a new agreement for the remainder of the lease term.

(3) If the domestic abuse is committed by a guest or other person on the premises, the landlord may require the victim to agree, in writing, not to allow the guest or other person on the premises for the remainder of the tenancy, a violation of which would be cause to terminate the tenancy as to the victim.

(4) Nothing in this subsection (c) shall prohibit the eviction of a victim of domestic abuse for nonpayment of rent, a lease violation, or any violation of this chapter.

SECTION 2. Tennessee Code Annotated, Section 66-28-517, is amended by adding the following language as a new subsection:

(g) Notwithstanding this section, in any case in which domestic abuse, as defined in § 36-3-601, is the underlying offense for which a tenancy is terminated, the provisions of § 29-18-102(c) shall apply.

SECTION 3. Tennessee Code Annotated, Section 66-7-109, is amended by deleting subsection (e) and substituting instead the following language:

(e) Notwithstanding this section, in any case in which domestic abuse, as defined in § 36-3-601, is the underlying offense for which a tenancy is terminated, the provisions of § 29-18-102(c) shall apply.

(f) Nothing in this section shall apply to rental property located in any county governed by the Uniform Residential Landlord and Tenant Act, compiled in Title 66, Chapter 28.

SECTION 4. This act shall take effect July 1, 2016, the public welfare requiring it, and shall apply to prohibited conduct occurring on or after that date.